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FISCAL IMPACT STATEMENT

LS 6383

BILL NUMBER: HB 1511

NOTE PREPARED: Feb 1, 2013

BILL AMENDED: Jan 31, 2013

SUBJECT: Spotlighting Wild Animals.

FIRST AUTHOR: Rep. VanNatter

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill defines "spotlight" as a projected spot of light used to direct a narrow, intense beam on a person, animal, or object. The bill provides that a person who, between October 1 and January 15, shines a spotlight, searchlight, or other artificial light upon wildlife for the purpose of locating wildlife commits a Class C infraction. It establishes certain exceptions.

The bill requires a court to suspend for two years the hunting, fishing, and trapping license privileges of a person who has a prior unrelated conviction or judgment for shining a light on wildlife.

The bill provides that certain violations of fish and wildlife law result in suspension of the violator's fish and wildlife license privileges. (Current law provides for the revocation of the license.) The bill also allows a court to suspend certain fish and wildlife license privileges for two years for a violation of a wildlife protection law.

Effective Date: July 1, 2013.

Summary of NET State Impact: The fiscal impact of this bill on the Department of Natural Resources (DNR) would depend on the number of licenses suspended in excess of one year as a result of the extension of the suspension period. DNR could experience a corresponding reduction in sales revenue for annual licenses as well as the federal wildlife and sport fishing restoration apportionment funding associated with the number of certified licensed hunters and anglers. Any fines associated with the Class C infraction would depend on the number of infractions and the judgement of the court; revenue would be deposited in the General Fund. The fiscal impact on the DNR dedicated funds and the General Fund is likely to be small.

Explanation of State Expenditures: In order to prevent an individual who incurs a second spotlighting conviction or judgement who holds an annual hunting, fishing, or trapping license that has been suspended from obtaining another license during the second year, the DNR would need to be notified of a court action suspending a license. DNR licenses are issued electronically using software that currently has the ability to block the issuance of a license for a suspended individual. The DNR should be able to implement this provision within the current level of resources available.

Explanation of State Revenues: The bill extends the period of time a court is required or allowed to suspend a hunting, fishing or trapping license. (Currently licenses may be suspended for a period of up to one year.) Because many licenses must be renewed annually, only a lifetime hunting license, a 10-year disabled veteran hunting/fishing license, or a senior fish-for-life license could be suspended for more than one year. An annual license could be suspended for a year; DNR would have to electronically block the subsequent issuance of a license for a suspended individual. The current fees for basic hunting, fishing, and trapping licenses are \$17.00 for Indiana residents. In addition, the DNR received federal wildlife restoration apportionment funds of about \$23.61 for each certified licensed hunter and federal sport fish restoration apportionment funds of about \$9.13 for each certified licensed angler in FFY 2012.

Penalty Provision: The maximum judgment for a Class C infraction is \$500, which would be deposited in the state General Fund. However, any additional revenue is likely to be small.

Background: IC 14-22-12-1.5 provides for a 10-year reduced hunting/fishing license fee of \$27.50 for qualified disabled veterans. IC 14-22-12-7 provides that the DNR could issue lifetime licenses before July 1, 2005. The DNR reported that with the exception of senior fish-for-life licenses, lifetime licensing was discontinued as of July 1, 2005, but prior to that time, the DNR sold 48,467 lifetime licenses.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Penalty Provision:* If additional court actions are filed and a judgment is entered, local governments would receive revenue from court fees. However, any additional revenue is likely to be small.

State Agencies Affected: Department of Natural Resources.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: DNR.

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